

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/10/2021
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THE CLOROX COMPANY,

Plaintiff,

v.

BYOPLANET INTERNATIONAL, LLC,

Defendant.

Civil Action No. **1:21-cv-6454-MKV**

**STIPULATION AND [PROPOSED] ORDER FOR SECOND EXTENSION OF TIME TO  
RESPOND TO COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for Plaintiff, The Clorox Company (“Plaintiff”), and Defendant, ByoPlanet International, LLC (“Defendant”) that:

1. On July 29, 2021, Plaintiff, The Clorox Co., initiated this action by filing the Complaint against Defendant. (D.N. 1.)

2. On November 11, 2021, the parties submitted a Stipulation and [Proposed] Order for Extension of Time to Respond to complaint to provide the opportunity for early resolution of this case. (D.N. 10.) The Court then entered an order extending the Defendant’s time to answer, move, or otherwise respond to the Complaint up to and including December 17, 2021. (D.N. 11.)

3. The parties have been working together in good faith to reach a compromise of the claims presented in this litigation. The parties believe that an additional extension of time may provide for early resolution of this case. Accordingly, the parties are submitting this stipulation to extend the deadline for responsive pleadings by an additional twenty-one (21) days.

4. Defendant's time to answer, move, or otherwise respond to the Complaint [Doc. No. 1] is hereby extended up to and including **January 7, 2022**, that deadline being twenty-one (21) days from December 17, 2021, the current deadline. *See* D.N. 11.

5. The extension afforded by this stipulation shall not be used as a basis by Defendant to oppose any motion for preliminary injunction that may be brought by Plaintiff; provided, however, that Defendant retains the right to argue that any such motion should be denied on the basis that Plaintiff has failed to introduce evidence of immediate, irreparable harm.

Respectfully submitted by:

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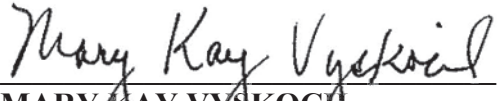
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Date: December 10, 2021

Answer due January 7, 2022. No further extensions of time to answer absent a showing of extraordinary circumstances,

**IT IS SO ORDERED:**

  
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**MARY KAY VYSKOCIL**  
**UNITED STATES DISTRICT JUDGE**

Dated: December 10, 2021  
New York, NY